

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION**

HOSEA SCOTT,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

CIVIL ACTION NO.: 4:20-cv-297
(Formerly 4:18-cr-262)

ORDER

After a careful de novo review of the entire record, the Court concurs with the Magistrate Judge's March 1, 2024, Report and Recommendation, (doc. 26), to which Petitioner has not objected. The Court **ADOPTS** the Report and Recommendation as its opinion. (Doc. 26.) For the reasons discussed by the Magistrate Judge, the Government's Motion to Dismiss is **GRANTED**. (Doc. 22.) Scott's 28 U.S.C. § 2255 motion, (doc. 1), as amended and supplemented, (docs. 2, 3, 5, 6, 7, 10, 12, 13 & 14), is **DISMISSED**. The Government's Motion to Dismiss Scott's Supplemental Motion is **GRANTED**. (Doc. 24.)

There are no discernable issues worthy of a certificate of appeal. Therefore, the Court **DENIES** the issuance of a Certificate of Appealability. Scott is advised that he "may not appeal the denial but may seek a certificate from the court of appeals under Federal Rule of Appellate Procedure 22." Rule 11(a), Rules Governing Section 2255 Cases in the United States District Courts. Furthermore, as there are no non-frivolous issues to raise on appeal, an appeal would not be taken in good faith. Thus, the Court likewise **DENIES** Scott *in forma pauperis* status on

appeal. The Court **DIRECTS** the Clerk of Court to **CLOSE** this case and enter the appropriate judgment of dismissal.

SO ORDERED, this 26th day of March, 2024.

A handwritten signature in blue ink, appearing to read "R. Stan Baker". The signature is stylized with a large "R" and "S".

R. STAN BAKER
UNITED STATES DISTRICT JUDGE
SOUTHERN DISTRICT OF GEORGIA